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16 Attorney Specially Appearing for Defendants
17 SERGE GLAZUNOV and
18 MARGARITA GLAZUNOV

19 UNITED STATES DISTRICT COURT

20 NORTHERN DISTRICT OF CALIFORNIA

21 SAN FRANCISCO DIVISION

22 SUNTRUST BANK,) Case No.: CV08-05184 SI
23 Plaintiff,)
24 vs.) IN ADMIRALTY
25 M/Y MARGAUX (Official No. 1050453),)
26 her boats, tackle, apparel, furniture, engines) STIPULATED REQUEST FOR ORDER
27 and appurtenances,) CONTINUING INITIAL CASE
28 *in rem*,) MANAGEMENT CONFERENCE;
and) [PROPOSED] ORDER
SERGE GLAZUNOV and)
MARGARITA GLAZUNOV,)
in personam,)
Defendants.)

STIPULATION

2 Plaintiff SunTrust Bank (hereinafter "plaintiff") and defendants Serge Glazunov and
3 Margarita Glazunov, appearing specially (hereinafter "defendants"), hereby stipulate to, and jointly
4 request, pursuant to Civil Local Rules 7-12 and 16-2 and Judge Illston's Case Management
5 Conference Order, an Order continuing the Initial Case Management Conference from March 27,
6 2009, to May 29, 2009. The parties respectfully submit that a two-month continuance will promote
7 the fair and efficient management of this case, as it will enable them to continue engaging in
8 settlement discussions that, if successful, should obviate further litigation. The parties therefore
9 respectfully submit that good cause exists for an Order continuing the Initial Case Management
10 Conference.

11 This matter relates to the foreclosure of a preferred ship mortgage sought by plaintiff, the
12 mortgagee, against the mortgagors (defendants) and the mortgaged vessel. The Complaint was filed
13 on November 17, 2008. Service of process was effected on the *in rem* defendant on November 20,
14 2008. On that day, pursuant to this Court's Orders, the vessel was also placed under arrest. After
15 possession of the vessel was transferred to the court-appointed substitute custodian, plaintiff
16 determined that a deficiency judgment against the *in personam* defendants may become necessary.
17 Those defendants were served on January 20, 2009, and January 22, 2009.

18 Shortly after the *in personam* defendants were served, counsel for the parties began
19 discussions concerning resolution of this matter. Although no settlement has yet been reached, the
20 discussions have been meaningful and the parties believe that an agreement may materialize in the
21 near future. In that event, it should not be necessary for defendants to answer the Complaint or for
22 any party to engage in formal discovery. On the other hand, if the parties reach an impasse, they
23 will nevertheless have a better understanding of the disputed issues, the necessary discovery, and
24 the likely trial prospects, in turn leading to a more productive Case Management Conference.

25 In light of the foregoing, the parties stipulate to and respectfully request that the Court grant
26 a 60-day continuance of the Case Management Conference to May 29, 2009, at 2:00 p.m., and
27 reschedule related deadlines as set forth below.

28 11

1 5/08/2009 Last day to meet and confer re: initial disclosures, early settlement, ADR process
2 selection, and discovery plan; file ADR Certification signed by Parties and Counsel;
3 and file either Stipulation to ADR Process or Notice of Need for ADR Phone
Conference.

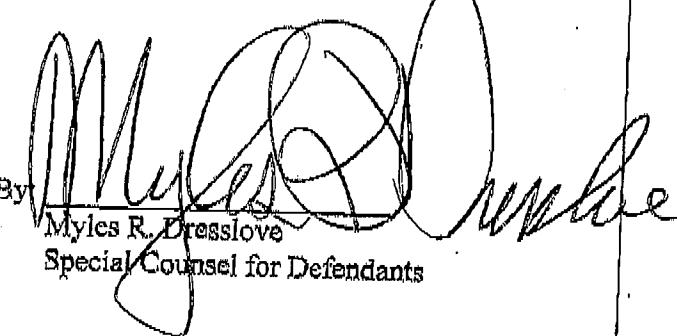
4 5/22/2009 Last day to file Rule 26(f) Report, complete initial disclosures or state objection in
5 Rule 26(f) Report and file Case Management Statement per Standing Order re
6 Contents of Joint Case Management Statement.
7 5/29/2009 Initial Case Management Conference: 2:30 p.m., Courtroom 10.
8

SO STIPULATED:

9 Dated: 3/17/09

10 STERLING & CLACK
11 
12 By: Rex M. Clack
13 Attorneys for Plaintiff

14 Dated: 3/17/09

15
16 By: 
17 Myles R. Dresslove
18 Special Counsel for Defendants

19 [PROPOSED] ORDER CONTINUING INITIAL CASE MANAGEMENT CONFERENCE

20
21 PURSUANT TO STIPULATION, IT IS SO ORDERED.

22
23 Date: March _____, 2009

24 
25
26 HONORABLE SUSAN ILLSTON
27 UNITED STATES DISTRICT JUDGE

28 181653/T/SdpRequestContCMC